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in the interest of holders of negotiable paper. See *Evans v. Roanoke Savings Bank*, *supra*.

NEUTRALITY LAWS—MILITARY EXPEDITION—WHAT CONSTITUTES.—Defendants conspired to destroy the Welland Canal in Canada, which was being used for the transportation of troops and military supplies by the king of Great Britain and Ireland, with which Prince the United States was then at peace. The conspirators were not organized as a military band; but they procured their supplies and had their base of operations in this country. *Held*, this constitutes a military expedition. *United States v. Tauscher*, 233 Fed. 597.

The federal courts have from time to time dealt with the question of military expeditions. The chief point of difference in their interpretation seems to be upon the degree of military training and organization which must be possessed by the body in order for it to be a military expedition. Some cases hold a high degree of military training and organization essential. Thus a body of men embarking with arms and ammunition for the United States were held to be embarking as individuals and not as a military expedition. *United States v. Pena*, 69 Fed. 983; *United States v. Hart*, 74 Fed. 724. But it has been held that an unorganized body of men, carrying arms and ammunition, who perfect a military organization before they reach their destination constitute a military expedition with the meaning of the statute. *Wiborg v. United States*, 163 U. S. 632. No particular number of men is necessary to complete the crime, nor is it necessary that such an expedition be completely organized, for the crime is completed by the first step taken in the organization or inception of such a body. *United States v. Ybanez*, 53 Fed. 536. It is not necessary that the men shall be drilled, uniformed or prepared for efficient service, nor organized as infantry, artillery, or cavalry. *United States v. Murphy*, 84 Fed. 609.

The right of the individual, as an individual, to leave this country for foreign lands with the intent of enlisting in a foreign army which is fighting against a country at peace with the United States is nowhere questioned. It is only where they join together and act in concert that they act unlawfully. *United States v. O'Brien*, 79 Fed. 900; *United States v. Murphy*, *supra*. It is unimportant to consider whether the expedition originated within the United States or beyond the seas, if it comes to this country *en route* to its destination. *Ex parte Needam*, Fed. Case No. 1008. Nor is it important that all the persons composing the military enterprise should be brought into contact with each other in the United States. *United States v. Murphy*, *supra*.

PAYMENT—APPLICATION—TO WHICH OF SEVERAL ACCOUNTS.—The defendant owed the plaintiff several debts, some being on open accounts and one being evidenced by a negotiable note. The debtor made several payments which totalled enough to pay the note, but which were not applied to any specific debt. In a suit to recover on the note, payment was pleaded. *Held*, the plaintiff can recover, as the payments will be applied most advantageously to the creditor. *Porter v. Watkins* (Ala.), 71 South. 687.